

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

2008 MAR -5 AM 11:41

M. Sandy
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SOUTHERN DISTRICT OF GEORGIA

United States of America

)

v.

)

Timothy M. Marshall

)

Date of Previous Judgment: December 23, 1997
(Use Date of Last Amended Judgment if Applicable)Case No: CR597-00003-025USM No: 09444-021

James G. Williams

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 180 months is reduced to time served.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 34Amended Offense Level: 32Criminal History Category: IICriminal History Category: IIPrevious Guideline Range: 168 to 210 monthsAmended Guideline Range: 135 to 168 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated December 23, 1997, shall remain in effect.

IT IS SO ORDERED.

Order Date: March 5, 2008*W.T. Moore Jr.*
William T. Moore, Jr.
Chief Judge, U.S. District Court

Judge's signature

Effective Date: March 15, 2008
(if different from order date)

Printed name and title